

Supplemental Response under 37 C.F.R. §1.111  
Attorney Docket No. 062924  
Application No. 10/598,185

### REMARKS

Claims 2, 4-7, 9, 12-19, 21-24, 26, 29-32 and 36 are pending in the present application.

### Claim Rejections – 35 U.S.C. §§ 102 and 103

Claims 1-7, 10, 11, 14, 17-24, 27, 28, 31 and 35 were rejected under 35 U.S.C. § 102(b) as being anticipated by **Franzen** (US 2005/0017167); claims 8, 9, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Franzen** in view of **Franzen2** (US 2005/0017165); claims 12, 13, 29 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Franzen** in view of **Reinhold** (US 6,483,109); and claims 15, 16 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Franzen** in view of **Ding** (US 7,193,207).

Favorable reconsideration is requested.

Applicants request consideration of the foreign priority document UK 0404106.7 and withdrawal of the rejections based on **Franzen** and **Franzen2** because the foreign priority document pre-dates the publication dates and filing dates of **Franzen** and **Franzen2**.

The claims were rejected based on **Franzen** under 35 U.S.C. § 102(b). However, Applicants respectfully submit that **Franzen** is not prior art under § 102(b). **Franzen** was published on January 27, 2005. The present application was filed as a PCT application on February 23, 2005, which is also the effective filing date of the present application. MPEP § 1893.03(b) citing 35 U.S.C. § 363 and PCT Article 11(3). The publication date of **Franzen** is not more than one year prior to the effective filing date of the present application, and thus, is not prior art under § 102(b).

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Franzen and Franzen2 are both prior art under § 102(a) and (e). However, the foreign priority document (UK 0404106.7 filed on February 24, 2004) pre-dates the publication dates and filing dates of Franzen (January 27, 2005 and June 4, 2004) and Franzen2 (January 27, 2005 and June 3, 2004).

Accordingly, withdrawal of the rejections is hereby solicited.

In view of the above remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
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